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VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF LYNCHBURG

JOHN L. WYNNE,

Case No. CL10004795-00

Plaintiff

Case No. CL10005362-00

v.

KAREN FOSTER,

Defendant

and

KAREN FOSTER,

ORDER

Plaintiff

v.

**JOHN L. WYNNE and
PETER C. SACKETT,**

Defendants

These actions came to be heard on the 9th day of January, 2012 upon the papers formerly read; upon John Wynne's Motion for Summary Judgment and Motion for Partial Summary Judgment; upon Notice of Hearing timely served upon the parties; upon Memorandum filed by John Wynne; upon oral argument of counsel; John Wynne appearing in person and by counsel, Karen Foster appearing in person and by counsel, with no appearance by Peter C. Sackett, *pro se*.

And the Court first addressing the issue of the nonappearance of Peter C. Sackett, declined to allow him to appear by telephone, and determined that the motions before the Court pertained only to matters between the parties John Wynne and Karen Foster, and not Peter C. Sackett, and therefore decided to proceed on the issues presented.

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And the Court having considered the pleadings, Orders, admissions and stipulations of the parties, but not the deposition of any party, rendered its findings, rulings and orders in open court, the transcript of which has been prepared and filed with the Clerk of Court, which transcript is incorporated herein by reference.

And it appearing to the Court that no material fact is genuinely in dispute except the issue as to any amount of damages, and that John Wynne is entitled to judgment on both his Motion for Summary Judgment and Motion for Partial Summary Judgment it is hereby **ADJUDGED, ORDERED and DECREED** that John Wynne's Motion for Summary Judgment and Motion for Partial Summary Judgment are hereby granted, reserving unto the parties the issue of damages, if any, due John Wynne from Karen Foster upon the unlawful detainer action, and it is the judgment of this Court that John Wynne is the fee simple title owner to the premises described in that certain Deed dated October 16, 2008, from Peter C. Sackett, Trustee to John L. Wynne, commonly known as 2232 Ridgewood Drive, Lynchburg, Virginia 24503; that Karen Foster unlawfully withholds possession of the same from John Wynne; that John Wynne is entitled to possession thereof, and Karen Foster is directed to deliver possession thereof to John Wynne without damage to the premises.

To which adverse findings and rulings of the Court Karen Foster, by counsel, does object and except.

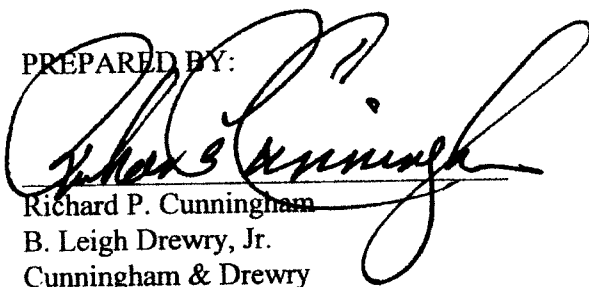
And this action is hereby continued upon the docket for trial by jury upon the unlawful detainer action of John Wynne on Wednesday, January 11, 2012 upon the issue of damages.

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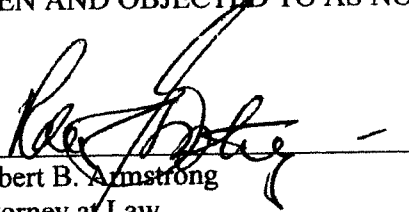
ENTER: 1/23/12


Judge

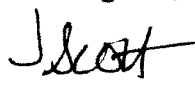
PREPARED BY:


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SEEN AND OBJECTED TO AS NOTED:


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*Excused without opportunity
to review the
transcript referred to
herein & subject to
my opportunity to file
an objection.
1/11/2012*

A Copy, Teste:
Eugene C. Wingfield, Clerk
By: 

Deputy Clerk

*Mr Armstrong was given until
1/23/12 to review transcript.
No objection being made, I
entered this order on 1/23/12
WSly/mde*

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